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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,670	04/14/2004	William Jackson Bushnell	Bushnell 28	7536

7590 06/23/2006

Lucent Technologies Inc.  
Docket Administrator  
Room 3J-219  
101 Crawfords Corner Road  
Holmdel, NJ 07733-3030

EXAMINER
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ELAHEE, MD S

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 06/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/824,670

Applicant(s)

BUSHNELL, WILLIAM JACKSON

Examiner

Md S. Elahee

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 April 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 7, 8 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 7, 8 and 18-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is responsive to an amendment filed 04/06/2006. Claims 1, 7, 8 and 18-20 are pending. Claims 2-6, 9-17 and 21-28 have been cancelled.

### ***Response to Arguments***

2. Applicant's arguments filed 04/06/2006 Remarks have been considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the added limitation at this time.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
5. Claims 1, 7, 8 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strauss et al. (U.S. Patent No. 5,864,612) in view of Griffiths (U.S. Patent No. 6,950,508).

Regarding claim 1, Strauss teaches a system for providing a remote caller profile service whereby caller profile information associated with a caller profile subscriber may be delivered to a called party terminal for a call executed by the caller profile subscriber, the call may be executed from one of a plurality of stations, each with a direct dialed number (fig.1; col.3, lines 20-24, 26-32, col.4, lines col.8, lines 20-49).

However, Strauss does not specifically teach “the call may be executed from a remote terminal other than the one to which the caller subscribes”. Griffiths teaches that the call may be executed from a remote terminal other than the one to which the caller subscribes (abstract; fig.2; col.4, lines 27-30, 47-67, col.5, lines 1-6). Thus, it would have been obvious to one of ordinary skill in the art the time the invention was made to modify Strauss such that the call may be executed from a remote terminal other than the one to which the caller subscribes in order to allow the caller to deliver the desired calling profile when the calling party is away from home telephone.

Strauss teaches a telecommunications switching system coupled to the remote terminal and the called party station [i.e., called party terminal] (fig.1; col.5, lines 34-40, col.9, lines 47-53).

Strauss further teaches a LIB data base [i.e., caller profile database server] coupled to the telecommunications switching system and adapted to store caller profile information for the caller [i.e., caller profile subscriber] (fig. 1; col.8, lines 20-50).

Strauss further teaches a caller profile administrative server coupled to the LIB data base, the caller profile administrative server being adapted to administer the caller profile information responsive to instructions from the caller (fig.2; col.6, lines 53-59, col.8, lines 20-50, col.9, lines 14-20, 27-34).

Strauss further teaches a prompt [i.e., interactive voice response system] coupled to the caller profile administrative server, the prompt comprising a user interface adapted to receive a request from the subscriber to invoke caller profile service from the remote terminal and, responsive to the request, initiate caller information for the subscriber for a subsequent call from the remote terminal (fig.3, 4; col.6, lines 53-59, col.9, lines 14-20, 27-34, 59-63).

Regarding claim 7, Strauss teaches that a caller profile database server is adapted to store a plurality of caller profiles for the caller profile subscriber (col.8, lines 20-50).

Strauss further teaches the prompt [i.e., interactive voice response system] adapted to receive from the caller profile subscriber instructions defining which of the plurality of caller profiles shall be delivered for the subsequent call from the remote terminal (col.8, lines 20-50, col.9, lines 14-20, 27-34, 59-63).

Regarding claim 8, Strauss teaches that a caller profile database server is adapted to implement the instructions provided by the caller defining which of the plurality of caller profiles shall be delivered for the subsequent call from the remote terminal (col.8, lines 20-50, col.9, lines 14-20, 27-34, 59-63).

Regarding claim 18, Strauss teaches receiving, by the prompt [i.e., interactive voice response system], a request from the calling party to invoke caller profile service from a remote terminal (fig.3, 4; col.9, lines 14-20, 27-34, 59-63).

Strauss further teaches determining whether the calling party subscribes to the caller profile service (col.8, lines 20-50, col.9, lines 14-20, 27-34, 59-63).

Strauss further teaches responsive to a positive determination that the calling party subscribes to the caller profile service, the calling party thereby defining a caller profile subscriber, requesting from a LIB data base [i.e., caller profile database server] caller profile information associated with the caller profile subscriber (col.9, lines 14-20, 27-34, 59-63).

Strauss further teaches delivering the caller profile information to a called party terminal for a subsequent call from the remote terminal to the called party terminal (col.9, lines 14-20, 27-34, 47-64).

Regarding claim 19, Strauss teaches receiving access code [i.e., authentication information] from the calling party (fig.4A, item 211).

Strauss further teaches sending access code to the LIB data base [i.e., caller profile database server] (col.7, line 60- col.8, line 50).

Strauss further teaches receiving from the LIB data base [i.e., caller profile database server], based on validity of the access code, an instruction to play one of: a service denial announcement and a confirmation announcement to the calling party (col.8, lines 33-50, col.9, lines 14-20, 27-34).

Regarding claim 20 is rejected for the same reasons as discussed above with respect to claim 19. Furthermore, Strauss teaches receiving access code [i.e., authentication information]

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from the prompt [i.e., interactive voice response system], the access code having been obtained by the prompt from the calling party (col.7, line 60- col.8, line 50, col.9, lines 14-20, 27-34).


Strauss further teaches determining the validity of the access code to the LIB data base (col.8, lines 33-50, col.9, lines 14-20, 27-34).

*Conclusion*

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S. Elahee whose telephone number is (571) 272-7536. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
ALAM ELAHEE  
PATENT EXAMINER  
June 16, 2006

  
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